REMARKS

Claims 1-23 have been amended to more clearly define the invention and to place the claims in accordance with U.S. patent practice. The dependencies of claims 6, 7, 12, and 17 have been amended to remove the occurrence of an improper multiple claim dependency.

Claim 14 has been amended to recite that the sample receiver is an on-line sample receiver which provides the pre-alignment means with samples. Support for the amendment is provided on page 7, lines 12-15. New claim 25 is directed to an embodiment of the invention disclosed by original claim 14. New claim 26 is directed to an exemplary embodiment of the invention deleted from original claim 17.

Claim 24 has been canceled. No new matter has been inserted by any amendments herein.

Upon entry of this Preliminary Amendment, claims 1-23, 25, and 26 are pending. Applicants respectfully submit that claims 1-23, 25, and 26 are directed to patentable subject matter. Accordingly, Applicants request allowance of the claims.

Authorization is hereby given to charge any fee due in connection with this communication to Deposit Account No. 23-1703.

Dated: July 26, 2002

Respectfully submitted,

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Claims 1-23- Version with markings to show changes made

1. An [sample presentation] apparatus for use in analysing pharmaceutical samples, comprising:

   (a) means for feeding one or more [said] samples sequentially through at least one predetermined analysing position, [(6)] wherein at least one measuring radiation beam irradiates the [said] sample [(14)] when the sample [it] is located in the [said] analysing position; and [characterised in that there is at least one two-piece]

   (b) means [(9, 39)] for temporarily fixing the [each] sample in the [at said] analysing position, wherein

   the fixing [(6), said two-piece] means [comprising] comprises a first and a second [sample] holding part arranged at the [said] analysing position, and wherein the holding parts are [in which said two-piece means is] adapted to move between [-] an open position when the [wherein a] sample is provided for analysis, and [-] a closed [fixing] position when the [wherein a] sample is analysed.

2. The apparatus according to claim 1, wherein the [said] first [(9a, 39a)] and second [(9b, 39b) sample] holding parts are located on opposite sides of the sample [(14)] when in the closed [analysing] position [(6)].

3. The apparatus according to claim 1, wherein the [none of said] first [(9a, 39a)] and second [(9b, 39b) sample] holding parts do not [are in] contact [with] the sample [(14)] in the open position.

4. The apparatus according to any of claims 1-3, wherein the [said] first [(9a, 39a)] and second [(9b, 39b) sample] holding parts define a first and second aperture [(20)], respectively.

5. The apparatus according to claim 4, wherein the [said] first and second apertures [(20)] together define an effective optical aperture [(22)] in the closed [fixing] position.

6. The apparatus according to claim 1, [any of the preceding claims] wherein the [said] first [(39a)] and second [(39b) sample] holding parts each define a first and second compartment which together define[s] a predetermined volume.

7. The apparatus according to claim 1, [any of claims 1 to 6,] wherein the [said] means for feeding samples sequentially through the analysing position [(6)] comprises at least one pre-alignment means [(13)] for receiving and holding a sample [(14)] during [the] transport of the sample [thereof] to the analysing position.

8. The apparatus according to claim 7, wherein the [said] pre-alignment means [(13)] comprises an elastically compressible member for flexibly engaging the sample [(15) such that the sample (14) is flexible engaged in the pre-alignment means].

9. The apparatus according to claim 8, wherein the [said] elastically compressible member [(15)] is an elastically compressible ring which in an uncompressed state has [having] an inner dimension [in an uncompressed state] which is slightly smaller than an outer dimension of the sample.

10. The apparatus according to claim 7, wherein the pre-alignment means [(13)] comprises a spring-loaded arm [(31)] for embracing the sample [(14) in the pre-alignment means].

11. The apparatus according to claim 10, wherein the spring-loaded arm [(31)] and a part of the feeding means are provided with an indentation [(32)] for receiving the [a] sample [(14)].

12. The apparatus according to claim 1, [any of claims 1 to 11,] wherein the [said] means for feeding samples sequentially through the [an] analysing position [(6)] is [represented by] a rotating feeder wheel [(3)] comprising at least one pre-alignment means [(13)] for receiving at least one sample [(14)].

13. The apparatus according to claim 12, wherein the [said] rotating feeder wheel [(3)] is connected to a sample receiver [(2)] which provides [providing] the feeder wheel with samples [(14)] to be analysed.

14. The apparatus according to claim 13, wherein the [said] sample receiver [(2) is a transport line (2a)] is an on-line sample receiver which provides [connected on-line to a tabletting process for providing] the pre-alignment means [(13)] with samples [(14)].

15. The apparatus according to claim 13, wherein the [said] sample receiver [(2)] is an at-line sample receiver [(2b) for providing] which provides the pre-alignment means [(13)] with samples [(14) from a batch source].

16. The apparatus according to claim 15, wherein the [said] at-line sample receiver [(2b)] comprises a conical rotating part [(42)] defining the bottom of an open vessel [(43)] with cylindrical geometry, wherein samples fall upon the [which] conical rotating part [samples fall down] to be sequentially aligned before entering the pre-alignment[s] means in the feeder wheel [(3)].

17. The apparatus according to claim 1, [any of claims 1-15,] wherein the [said] sample [(14)] is a solid dosage form [such as a tablet, a pellet or a capsule].

18. A method for presenting pharmaceutical samples to a sample presentation apparatus comprising the [following] steps of:

(a) [-] feeding a sample sequentially through the [said] sample presentation apparatus [(1)] having [comprising] at least one predetermined analysing position [(6)];

(b) [-] temporarily fixing the [said] sample [(14)] at the analysing position in a closed fixing position by means of a two-piece fixing means [(9, 39)] comprising a first and second [sample] holding parts; and

(c) [-] moving the [said] first and second [sample] holding parts to an open position to allow the sample to be transported to an ejecting position [(7)].

19. The [A] method according to claim 18, wherein a measurement is performed by irradiating the sample [(14) is irradiated] with at least one measuring radiation beam (16) while the sample is being [during said] temporarily fixed [fixing] in the analysing position [(6) to perform a measurement on the sample].

20. The [A] method according to claim 19, wherein the [said] measurement is an optical measurement.

21. The [A] method according to claim 20, wherein the [said] optical measurement is carried out by means of one or more spectroscopic methods selected from the group consisting of near-infrared (NIR) spectrometry, [and/or a spectrometric method based on] Raman scattering spectrometry, [and/or a spectrometric method based on] absorption in the UV, visible, or infra-red (IR) wavelength regions, [or] luminescence spectrometry, [such as] fluorescence spectrometry, [or based on] and X-ray spectrometry.

22. The [A] method according to claim 21, wherein the [said] optical measurement is carried out by means of one or more spectroscopic imaging methods selected from the group consisting of near-infrared (NIR) spectrometric imaging, [and/or a spectrometric imaging method based on] Raman scattering spectrometric imaging, [and/or spectrometric] imaging [method] based on absorption in the UV, visible, or infra-red (IR) wavelength regions, [or] luminescence spectrometric imaging, [such as] fluorescence spectrometric imaging, and [or based on] X-ray spectrometric imaging.

23. The [A] method according to claim 19, wherein the radiation beam is a microwave beam [irradiation of the sample (14) is carried out by microwaves].